

015280-310100US

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

09/462682

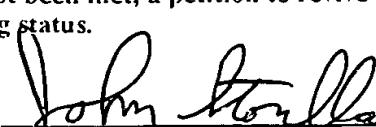
TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371INTERNATIONAL APPLICATION NO.  
PCT/US98/14341INTERNATIONAL FILING DATE  
July 10, 1998PRIORITY DATE CLAIMED  
July 11, 1997TITLE OF INVENTION  
PSEUDOMONAS EXOTOXIN A-LIKE CHIMERIC IMMUNOGENSAPPLICANT(S) FOR DO/EO/US  
DAVID J. FITZGERALD

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1.  This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2.  This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3.  This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4.  A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5.  A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a.  is transmitted herewith (required only if not transmitted by the International Bureau).
  - b.  has been transmitted by the International Bureau.
  - c.  is not required, as the application was filed in the United States Receiving Office (RO/US).
6.  A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7.  Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a.  are transmitted herewith (required only if not transmitted by the International Bureau).
  - b.  have been transmitted by the International Bureau.
  - c.  have not been made; however, the time limit for making such amendments has NOT expired.
  - d.  have not been made and will not be made.
8.  A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9.  An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10.  A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

## Items 11. to 16. below concern document(s) or information included:

11.  An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12.  An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13.  A **FIRST** preliminary amendment.  
 A **SECOND** or **SUBSEQUENT** preliminary amendment.
14.  A substitute specification.
15.  A change of power of attorney and/or address letter.
16.  Other items or information:  
Copy of Written Opinion of 5/25/99, Response

U.S. APPLICATION NO. (if known) 09/462682		INTERNATIONAL APPLICATION NO PCT/US98/14341	ATTORNEY'S DOCKET NUMBER 015280-310100US
17. <input checked="" type="checkbox"/> The following fees are submitted:		CALCULATIONS PTO USE ONLY	
BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):			
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO .....		\$970.00	
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO .....		\$840.00	
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....		\$760.00	
International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) .....		\$670.00	
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) .....		\$96.00	
ENTER APPROPRIATE BASIC FEE AMOUNT = \$ 840			
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	43 - 20 =	+23	X \$18.00 \$ 414
Independent claims	9 - 3 =	+ 6	X \$78.00 \$ 468
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$260.00	\$
TOTAL OF ABOVE CALCULATIONS		= \$ 1,722	
Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).		\$	
SUBTOTAL		= \$	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		\$	
TOTAL NATIONAL FEE		= \$ 1,722	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		\$	
TOTAL FEES ENCLOSED		= \$ 1,722	
		Amount to be: refunded	\$
		charged	\$
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 20-1430 in the amount of \$ 1,722 to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 20-1430. A duplicate copy of this sheet is enclosed.</p>			
<p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p>			
<p>SEND ALL CORRESPONDENCE TO:            John R. Storella            Townsend and Townsend and Crew LLP            Two Embarcadero Center, 8th Fl.            San Francisco, CA 94111</p>			
<p>SIGNATURE: </p>			
<p>John R. Storella            NAME</p>			
<p>32,944            REGISTRATION NUMBER</p>			

09/462682

520 Rec'd PCT/PTO 10 JAN 2000

EXPRESS MAIL NO. EL394874887US

DATE OF DEPOSIT: January 10, 2000

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents, Washington, D. C. 20231.

By: Sam Sut

Attorney Docket No. 015280-310100US

**Enclosures:** Form PTO-1390; copies of Written Opinion of 5/25/99, Response